

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re:

CARMEN ASTRID BERGERON

Debtor.

CASE NO. C24-1682 MJP

Bankruptcy No. C23-12506-CMA

ORDER OF DISMISSAL

CARMEN ASTRID BERGERON,

Appellant,

v.

EDMUND J. WOOD, Trustee.

Appellee.

This matter comes before the Court on Appellee's Motion to Dismiss. (Dkt. No. 6.)  
Having reviewed the Motion and all supporting materials, and noting the lack of any opposition,  
the Court GRANTS the Motion and DISMISSES this appeal.

There are two independent bases for dismissal.

1 First, Appellant's appeal is untimely and it must be dismissed. Any appeal must be filed  
2 fourteen days from the date of the underlying Bankruptcy Court order. See Fed. R. Bankruptcy  
3 P. 8002(a)(1). Here, Appellant filed her appeal fifteen days from the date the underlying order  
4 was entered. The late filing deprives this Court of jurisdiction and it must dismiss this action as  
5 untimely. See In re Wilkins, 587 B.R. 97, 100 (9th Cir. BAP 2018); 28 U.S.C. § 158(a).

6 Second, Appellant seeks to appeal an Bankruptcy Court order over which this Court lacks  
7 jurisdiction. This Court has jurisdiction only over final judgments, orders, and decrees pursuant  
8 to 28 U.S.C. § 158(a)(1). "A disposition is final if it contains a complete act of adjudication, that  
9 is, a full adjudication of the issues at bar, and clearly evidences the judge's intention that it be the  
10 court's final act in the matter." In re Slimick, 928 F.2d 304, 307 (9th Cir. 1990) (citation and  
11 quotation omitted). Here, Appellant seeks to appeal an order compelling her to cooperate with  
12 the Trustee to provide access to property for its eventual sale. This is not a final order. And,  
13 although the Bankruptcy Court may grant leave to appeal an interlocutory order, Appellant has  
14 not sought this relief from the Bankruptcy Court. Accordingly, the Court lacks jurisdiction to  
15 entertain Appellant's appeal for the independent reason that the order on appeal is not final.

16 For these two independent reasons, the Court GRANTS the Motion and DISMISSES this  
17 appeal for lack of jurisdiction.

18 The clerk is ordered to provide copies of this order to Appellant and all counsel.

19 Dated December 26, 2024.

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21 Marsha J. Pechman  
22 United States Senior District Judge  
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